

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

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ESTATE OF ROGER D. :  
OWENSBY JR., et al., :  
 :  
Plaintiffs, :  
vs. : Case No. 01-CV-769  
 : (Judge S. A. Spiegel)  
CITY OF CINCINNATI, :  
et al., :  
 :  
Defendants. :  
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Videotaped deposition of ROBERT BLAINE JORG, a  
defendant herein, called by the plaintiffs for  
cross-examination, pursuant to the Federal Rules of  
Civil Procedure, taken before me, Wendy Davies  
Welsh, a Registered Diplomate Reporter and Notary  
Public in and for the State of Ohio, at the offices  
of Helmer, Martins & Morgan Co. LPA, 1900 Fourth &  
Walnut Centre, 105 East Fourth Street, Cincinnati,  
Ohio, on Tuesday, October 14, 2003, at 10:12 a.m.

COPY

1 At that point more cops started showing up. Golf  
2 Manor was the closest vehicle to us. They were  
3 asked if we could put Mr. Owensby in the back of  
4 their police car, being the closest one to us. So  
5 Officer Caton goes back down, attempts to pick Mr.  
6 Owensby up by his pants, if I can remember  
7 correctly. And with the spandex in them or whatever  
8 elastic it was, it stretched and he didn't come up  
9 off the ground.

10 Q. At this point in time was Mr. Owensby  
11 moving?

12 A. Yes.

13 Q. How so?

14 A. Pretty much the typical person after  
15 they've been Maced, kind of wincing the eyes and  
16 trying to roll to their side. Typical response that  
17 we've had.

18 Q. Did you see this?

19 A. Yes.

20 Q. You personally saw him wincing his eyes?

21 A. Yes, because he's rolling --

22 Q. Or blinking --

23 A. He's rolling up on --

24 Q. -- blinking his eyes?

1 Q. At that point in time is the scene  
2 stabilized?

3 A. Not necessarily. He's in a different  
4 department's police car. We've got cars still  
5 responding we have to disregard. We have  
6 supervisors we need to talk to. We have to get our  
7 cars over to the scene to transport Mr. Owensby from  
8 the Golf Manor car to our car, so we can relieve the  
9 Golf Manor's cars, thank them for coming, and send  
10 them on the way.

11 No, the scene is not, quote/unquote,  
12 stabilized. The way it was referred to me, the  
13 scene is not stabilized until you're in your car and  
14 either on your way to the station, on the way to the  
15 hospital, on the way to the jail, on the way to  
16 whatever. That's when the scene is stabilized.

17 Q. Go to the next page, page 3, subparagraph  
18 A. 2. It says, "When necessary, handcuff physically  
19 handicapped, injured, or pregnant prisoners in  
20 front."

21 A. I'm sorry, I'm missing where you're at.

22 Q. Page 3.

23 A. Page 3.

24 Q. A. 2.